

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**March 2, 2010**

DIVISION ONE

[illegible]

The judgment is affirmed.

Chaney, J.

We concur:   Mallano, P.J.  
                      Johnson, J.

B210116      Advanced Choices, Inc.      (Not for Publication)  
v.  
Department Of Health Services

The judgment is affirmed.

Chaney, J.

We concur:   Mallano, P.J.  
                      Johnson, J.

## March 2, 2010 (Continued)

## DIVISION ONE (continued)

B210060 People (Not for Publication)  
v.  
Carillo

The judgment is affirmed.

Johnson, J.

We concur:   Rothschild, Acting P.J.  
                    Chaney, J.

B207271 Thompson (Not for Publication)  
v.  
Sky Sports, Inc.

The judgment is affirmed. Respondent is awarded costs on appeal.

Rothschild, J.

We concur:   Mallano, P.J.  
                      Johnson, J.

## DIVISION TWO

B217473      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
Jasmine L.

The order terminating parental rights is affirmed.

Doi Todd, J.

We concur:   Boren, P.J.  
                      Chavez, J.

March 2, 2010 (Continued)

## DIVISION TWO (continued)

B215613      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
Ronald A.

The orders denying father's October 8 and November 5, 2008 section 388 petitions are affirmed.

Doi Todd, J.

We concur: Boren, P.J.  
Ashmann-Gerst, J.

[illegible]

The judgment is affirmed.

Doi Todd, J.

We concur: Boren, P.J.  
Ashmann-Gerst, J.

B214534 People (Not for Publication)  
v.  
Cunningham

The judgment is modified to award appellant 449 days of total presentence custody credits (391 days of actual custody plus 58 conduct days). As modified, the judgment is affirmed. The trial court is directed to amend the abstract of judgment to reflect 449 days of total presentence custody credits and to impose a total court security fee of \$100 and to send a certified copy of the amended abstract to the Department of Corrections and Rehabilitation.

Doi Todd, J.

We concur:   Boren, P.J.  
                      Chavez, J.

DIVISION THREE

B213602      Bell      (Not for Publication)

V.

Centinela Hospital, a Cal. State Chartered Health Care Corp., et al.

The stipulated judgment from which plaintiff has appealed is reversed and the cause is remanded to the trial court for further proceedings consistent with the views expressed herein. The parties shall bear their own costs on appeal.

Croskey, Acting P.J.

We concur:   Kitching, J.  
                      Aldrich, J.

B218905      In re Pettis on Habeas Corpus      (Not for Publication)

The petition for writ of habeas corpus is granted. The Board of Parole Hearings' July 31, 2008 order denying Pettis parole is reversed and the matter is remanded with directions to conduct a new suitability hearing within 30 days of the issuance of the remittitur in this matter. At that hearing, the Board is directed to find Pettis suitable for parole unless new evidence of her conduct or a change in her mental state subsequent to her 2008 parole hearing supports a determination that she currently poses an unreasonable risk of danger to society if released on parole.

Kitching, J.

We concur: Klein, P.J.  
Aldrich, J.

B188106 Pfizer, Inc.  
v.  
Superior Court, Los Angeles County  
(Galfano, r.p.i.)

Filed order certifying opinion for publication.

March 2, 2010 (Continued)

DIVISION FOUR

B214347 People v.  
Jones

(Not for Publication)

The \$20 DNA Penalty assessment is stricken. The clerk of the superior court shall prepare an amended abstract of judgment so reflecting. In all other respects the judgment is affirmed.

Willhite, J.

We concur: Epstein, P.J.  
Manella, J.

B215186      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
Izabella R.

The judgment is affirmed.

Willhite, J.

We concur: Epstein, P.J.  
Manella, J.

DIVISION FIVE

Court convened at 9:00 a.m.

Present: Armstrong, Acting P.J., Kriegler, J., Weisman, J. (Assigned) and D. Nolan, Deputy Clerk.

Each of the following:

B219049 DCFS v. V.R.  
B216765 People v. Grady  
B220819 S.G. v. S.C.L.A.  
B221581 People v. Jordan

Argument waived, cause submitted.

DIVISION FIVE (continued)

B215381     Mark Christensen  
               v.  
               Eddie Goodwin

Merits:

Argued by Michael M. Bergfeld for appellant and by Scott Sterling for respondent. Cause submitted.

B209204     Ronald C. Stock, etc.  
               v.  
               Herbert Hafif, et al.

Merits:

Argued by Finley Taylor for appellant and by Greg K. Hafif for respondents. Cause submitted.

Court recessed.

Court reconvened at 10:00 a.m.

Present: Armstrong, Acting P.J., Kriegler, J., Weisman, J. (Assigned) and D. Nolan, Deputy Clerk.

B212246     Tony Neman  
               v.  
               Shahram Elyaszadeh

Merits:

Argued by Lyle Mink for appellant, by Joshua A. Del Castillo for respondent Federal Deposit Insurance Corp. and by Jules L. Kabat for respondent Shahram Elyaszadeh. Cause submitted.

DIVISION FIVE (continued)

B214147     Janice Sharp, et al.  
              v.  
              Paul Anderson, et al.

Merits:

Argued by Kevin Stack for appellants, by Eric M. Volkert for respondents Alta San Rafael Association, Marilyn Buchanan, Charles Malouf, John Craig and Alice Longyear, and by Katherine Miller for respondents Paul and Elizabeth Anderson. Cause submitted.

B208179     C3 Entertainment, Inc.,  
              v.  
              Sony Pictures Television, Inc.

Merits:

Argued by Adam Fox for appellant and by Martin D. Katz for respondent. Cause submitted.

Court recessed.

Court reconvened at 11:14 a.m.

Present: Armstrong, Acting P.J., Kriegler, J., Weisman, J. (Assigned) and D. Nolan, Deputy Clerk.

B216895     R2D2, et al.  
              v.  
              Alexander Sandel

Merits:

Argued by Wendy C. Lascher for appellant and by Robert S. Gerstein for respondent. Cause submitted.

Court recessed.

March 2, 2010 (Continued)

DIVISION FIVE (continued)

Court reconvened at 11:36 a.m.

Present: Armstrong, Acting P.J., Mosk, J., Kriegler, J. and D. Nolan, Deputy Clerk.

Each of the following:

B218075 DCFS v. T.M.  
B212250 People v. Loza  
B219616 DCFS v. Sean H.

Argument waived, cause submitted.

B209712      Moussa Kalimia, etc.  
                 v.  
                 Behrouz Babajouni, et al.

Merits:

Argued by Tom Wanner for appellants and no appearance by respondent pursuant to CRC 8.220(a)(2). Cause submitted.

B217469      People  
                 v.  
                 Omar Avelar

Merits:

Argued by Edward J. Haggerty for appellant and by Jaime L. Fuster, Deputy Attorney General for respondent. Cause submitted.

B215220      Tracey Fuller, et al.  
                 v.  
                 Kelly Services, Inc.,

Merits:

Argued by Daniel G. Emilio for appellants and by Derek Havel for respondent. Cause submitted.

Court recessed.



March 2, 2010 (Continued)

## DIVISION FIVE (continued)

Court reconvened at 1:00 p.m.

Present: Armstrong, Acting P.J., Mosk, J., Kriegler, J. and D. Nolan, Deputy Clerk.

B211015      People  
v.  
Julio Perez and Eric Sanford

Merits:  
Argued by Allen G. Weinberg for appellant Perez and by Viet Nguyen, Deputy Attorney General for respondent. No appearance by appellant Sanford. Cause submitted.

B213733 Tishandra Merriweather, et al.  
v.  
City of Los Angeles

Merits:  
Argued by David P. Cwiklo for appellants and by Paul L. Winnemore, deputy city attorney for respondent. Cause submitted.

Court adjourned.

## DIVISION SIX

B216915      People                          (Not for Publication)  
v.  
Dennis Smith

---

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.  
Perren, J.

## March 2, 2010 (Continued)

## DIVISION SIX (continued)

B217325      People      (Not for Publication)  
v.  
Ignacio Carpio Perez

The judgment (order denying motion to surpress evidence) is affirmed.

Yegan, J.

We concur:    Gilbert, P.J.  
                         Perren, J.

[illegible]

The order denying the petition to compel arbitration is affirmed. Costs on appeal are awarded to respondent.

Coffee, J.

We concur:    Gilbert, P.J.  
                         Perren, J.

B214342 People (Not for Publication)  
v.  
Miller

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.  
Perren, J.

DIVISION SEVEN

|         |  |                       |
|---------|--|-----------------------|
| B196909 | Evans<br>v.<br>Sheen<br>Howell et al.,         | (Not for Publication) |
| B201949 | Evans<br>v.<br>Sheen                           |                       |
| B202637 | Evans et al.,<br>v.<br>Sheen<br>Howell et al., |                       |
| B209064 | Sheen<br>v.<br>Evans                           |                       |

The appeal in No. B196909 is dismissed. Respondents in No. B196909 shall recover their costs on appeal.

The judgment in No. B201949 is affirmed. Respondent in No. B201949 shall recover her costs on appeal.

In No. B202637, the August 30, 2007 sanctions order, against Marc Hankin in the amount of \$8,724.50 is reversed. In all other respects, the judgment is affirmed. The parties shall bear their own costs in No. B202637.

The judgment in No. B209064 is affirmed. Respondent in No. B209064 shall recover her costs on appeal.

Zelon, J.

We concur: Perluss, P.J.  
Woods, J.

## DIVISION SEVEN (continued)

B204770 People (Not for Publication)  
v.  
Christian Martinez and Carlos Martinez

The judgment as to Carlos Martinez is affirmed. The judgment as to Christian Martinez is modified to reflect the trial court's imposition of a one-year armed-principal enhancement pursuant to section 12022, subdivision (a)(1), on count 1 and a second one-year armed principal enhancement pursuant to that section on count 7, rather than a two-year enhancement on count 7 only. As modified, the judgment is affirmed. The abstract of judgment is ordered corrected to reflect the proper sentences on counts 1 and 7. The trial court shall forward a copy of the corrected abstract of judgment to the Department of Corrections and Rehabilitation.

Perluss, P.J.

We concur: Woods, J.  
Zelon, J.